

Please type a plus (+) inside this box

+

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

The Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U. S. PATENT OFFICE

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	9775-0197-999	Total Pages
<i>First Named Inventor or Application Identifier</i>		
Lewis B. Aronson		S-PRO 5554
Express Mail Label No.	EV 313 841 679 US	

APPLICATION ELEMENTS

See MPEP chapters 600 concerning utility patent application contents.

Address to: **Commissioner for Patents
P.O. Box 1450
Mail Stop PATENT APPLICATION
Alexandria, VA 22313-1450**

1. <input checked="" type="checkbox"/>	Fee Transmittal Form (<i>Submit an original, and a duplicate for fee processing</i>)	7. <input type="checkbox"/>	CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input type="checkbox"/>	Applicant claims Small Entity status, see 37 C.F.R. § 1.27	8. <input type="checkbox"/>	Nucleotide and/or Amino Acid Sequence Submission (<i>if applicable, all necessary</i>)
3. <input checked="" type="checkbox"/>	Specification <i>(preferred arrangement set forth below, MPEP 1503.01)</i> - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R&D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description of the Invention (including drawings, if filed) - Claim(s) - Abstract of the Disclosure	[Total Pages 33]	a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies
ACCOMPANYING APPLICATION PARTS			
4. <input checked="" type="checkbox"/>	Drawing(s) (35 USC 113)	[Total Sheets 8]	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
5. <input checked="" type="checkbox"/>	Oath or Declaration	[Total Sheets 2]	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney
	a. <input type="checkbox"/> Newly executed (original or copy)		11. <input type="checkbox"/> English Translation Document (if applicable)
	b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i>		12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
	i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).		13. <input type="checkbox"/> Preliminary Amendment
6. <input type="checkbox"/>	Application Data Sheet. See 37 CFR 1.76		14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>
			15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
			16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
			17. <input type="checkbox"/> Other:

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement
(when there is an assignee) Power of Attorney

11. English Translation Document (if applicable)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS
 Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent

17. Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: 10/266,869 filed October 8, 2002.

Prior application information: Examiner: Unknown Group Art Unit: 2633

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number

24341
Insert Customer No. or Attach bar code label here)

or Correspondence address below

NAME

ADDRESS

CITY

COUNTRY

STATE

ZIP CODE

FAX

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner UnKnown
Art Unit 2633

Commissioner for Patents
P.O. Box 1450
Mail Stop PATENT APPLICATION
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation divisional application under 37 CFR § 1.53(b), of pending prior application no. 10/266,869 filed on October 8, 2002

of Lewis B. Aronson and Stephen G. Hosking

(inventor(s) currently of record in prior application)

for SYSTEM AND METHOD FOR PROTECTING EYE SAFETY DURING OPERATION OF A FIBER OPTIC
TRANSCEIVER
(title of invention)

1. The filing fee is calculated below:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	13	- 20	0	\$18.00 each	\$ 0.00
Independent	4	- 3	1	\$84.00 each	\$ 84.00
				Minimum Fee	\$ 750.00
				Multiple Dependency Fee If Applicable (\$280.00)	\$ 0.00
				Total	\$ 834.00
				Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern	\$ 0.00
				Total Filing Fee	\$ 834.00

2. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

3. Amend the specification by inserting before the first line the following sentence: This is a continuation, division, of application no. , filed .

4a. New formal drawings are enclosed.

4b. Informal drawings are enclosed.

5a. Priority of application no. filed on in is claimed under 35 U.S.C. §119.

PENNIE & EDMONDS LLP DOCKET NO 9775-0197-999

5b. The certified copy has been filed in prior application no. , filed .

6. The prior application is assigned of record to Finisar Corporation.

7a. A copy of the Power of Attorney filed in the prior application no. 10/266,869, filed October 8, 2002 is enclosed.

7b. A Power of Attorney is enclosed.

8. This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.

9. The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .

10. DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

11. Additional enclosures or instruction
- the continuation application; Declaration by the inventors from the parent application;
- an Information Disclosure Statement.

Respectfully submitted,



Gary S. Williams
PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, California 94304

31,066
(Reg. No.)

Date September 4, 2003